

Debtor 1 William Marshall Bell

United States Bankruptcy Court for the: Western District of Virginia

Case number: 19-50991

COMPLAINT TO DETERMINE
DISCHARGEABILITY OF STUDENT LOAN

1. Debtor filed this case under Chapter 7 of the Bankruptcy Code on 11/14/2019.
This Court thus has jurisdiction over this action under 28 U.S.C. § 1334. This proceeding is a core proceeding.
2. One of the unsecured debts owing by the Debtor and listed on Schedule E/F: Creditors Who Have Unsecured Claims, is a student loan owing to Dept of Education / FedLoan Serving.
3. This loan was incurred to pay expenses at Strayer University.
4. Based on the Debtor's current income and expenses, the Debtor cannot maintain a minimal living standard and repay the loan. (Please see the attached).
5. The Debtor's current financial condition is likely to continue for a significant portion of the repayment period of the loan. (Dental Work – I need four new crowns and one replacement crown that broke off while serving as an anchor for my upper partial.)
6. The Debtor has made a good-faith effort to repay his debt.
7. The Debtor has filed for bankruptcy for reasons other than just to discharge his student loan.

Date: January 6, 2020

Signed



FILED HARRISONBURG, VA
U.S. BANKRUPTCY COURT

JAN 8 2020

By


Deputy Clerk

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Complaint to Determine Dischargeability of Student Loan – Continuation Page

4. Based on the Debtor's current income and expenses, the Debtor cannot maintain a minimal living standard and repay the loan. Following is information about my current and future employment, my income and income potential, education, skills and the marketability of my skills, health and family support obligations:

- **Debtor is underemployed** - I am currently employed as a driver/chauffer with Reston Limousine & Travel Service Inc. I was suddenly and unexpectedly put on a Leave Without Pay status from my federal employment as a Program Specialist with the Federal Emergency Management Agency (FEMA) in April 2019. I was fortunate to find employment near Winchester, VA in June 2019 but by that time, I had become completely insolvent.

I graduated in 2014 with a master's degree in public administration (MPA) with the objective of obtaining federal government employment. I had submitted at least 108 applications for full-time federal government until I began employment with FEMA November 2018.
- **Debtor is 67 years old** – At my current age, employers are seemingly unwilling to consider me for professional level jobs at pay rates comparable to what I was earning in 2014. My current income as shown on Schedule I: Your Income, is based on 60 hr. work weeks which I cannot sustain for much longer. My current age severely diminishes my income potential and marketability.
- **Debtor Student Loan is in Forbearance** – I have been diligently trying to use the MPA degree I earned in 2014 to enhance my lifestyle but have unsuccessful. Fedloan Servicing has been approving my applications for repayment deferments and has currently certified me for an Income-Driven Repayment Plan (see attached). My financial position has worsened since my re-certification application last year in 2019.
- **Debtor has pending dental work** – I have an urgent need to complete the dental work that the dentist listed on the continuation page of Schedule E/F in part 2 number 4.9 of my Nonpriority Unsecured Claims started. I need cash for the four crowns they recommended during my initial consultation and for one crown that has broken off as a result of it being used as an anchor for the upper partial, they recently installed.



FedLoan Servicing
P.O. BOX 69184
Harrisburg, PA 17106-9184
Toll-free: 800-699-2908
MyFedLoan.org

WILLIAM M BELL
761 FRONT ROYAL PIKE
APT 304
WINCHESTER, VA 22602

Account #: 7860279932

January 5, 2020

The following information is provided as verification of the loans we service for WILLIAM M BELL:

In Repayment

- The loans listed below are in repayment.

Loan #	Disbursement Date	Loan Program	Original Loan Amount	Principal Balance	Monthly Payment Amount	Repayment Term	Interest Rate	Days Delinquent
9	07/10/2014	DLUNST	\$7,681.00	\$8,257.28	\$0.00	143 Months	6.21%	0
8	10/16/2013	DLUNST	\$20,500.00	\$22,370.65	\$0.00	141 Months	5.41%	0
7	01/18/2013	DLUNST	\$20,500.00	\$23,167.03	\$0.00	144 Months	6.8%	0
4	04/13/2012	DLSTFD	\$2,862.00	\$2,862.00	\$0.00	144 Months	6.8%	0
5	04/13/2012	DLUNST	\$17,637.00	\$21,465.55	\$0.00	144 Months	6.8%	0
2	09/08/2011	DLSTFD	\$1,712.00	\$1,712.00	\$0.00	144 Months	6.8%	0
3	07/08/2011	DLUNST	\$3,489.00	\$4,438.96	\$0.00	144 Months	6.8%	0

Paid In Full

- The loans listed below are paid in full.

Loan #	Disbursement Date	Loan Program	Original Loan Amount	Principal Balance	Monthly Payment Amount	Repayment Term	Interest Rate	Days Delinquent
6	01/18/2013	DLUNST	\$0.00	\$0.00	--	--	6.8%	--
1	09/08/2011	DLSTFD	\$0.00	\$0.00	--	--	6.8%	--

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Loan Payoff

Request Loan Payoff & Make a Payoff Payment

Your payoff amount was calculated for the loan(s) and date you requested.

Step 2 of 4: Make a Payoff Payment

Payment Information

The following loans will be included in your payoff:

Disb. Date	Loan Type	Interest Rate	Balance
07/10/2014	DLUNST.	6.21 %	\$8,257.28
10/16/2013	DLUNST.	5.41 %	\$22,370.65
01/18/2013	DLUNST.	6.80 %	\$23,167.03
04/13/2012	DLUNST.	6.80 %	\$21,465.55
04/13/2012	DLSTFD	6.80 %	\$2,862.00
09/08/2011	DLSTFD	6.80 %	\$1,712.00
07/08/2011	DLUNST.	6.80 %	\$4,438.96

Payment Date: 01/06/2020 Payoff Amount Total: \$107,970.91

We calculated your payoff amount by adding together:

- the current principal balance, for each loan you selected
- with the amount of interest that will accrue on the loan(s), from now through the payoff date you selected.

Please Note: Your payoff amount does not include:

- any payments that have not yet been posted to your account,
- or any fees that may accrue before your payoff is received

[Close](#)

What account would you like your payoff payment deducted from?

Pay From New Account

Add New Bank Account

Enter account information. Required Fields

*Routing Number:

Your bank routing number can be found at the bottom of your checks. Your financial institution should also be able to provide you this information.

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